

# Wetlands Bureau Decision Report

Decisions Taken  
05/23/2011 to 05/29/2011

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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**2008-02822                      OSSIPPEE BLUFFS ASSOCIATION INC**  
**OSSIPEE   Ossipee Lake & Lovell River**

### Requested Action:

Amend permit it temporarily install sand bags in place of the permitted coir logs.

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### Conservation Commission/Staff Comments:

No Con Com comments by 03/13/09

### APPROVE AMENDMENT:

Install approximately 119 feet of rip rap and temporarily place approximately 142 linear feet of sand bags before installing approximately 135 feet of coir logs for long term bank stabilization within Ossipee Lake, in Ossipee.

### With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co Inc revised January 6, 2010, as received by DES on January 8, 2010 and amendment request email received May 11, 2011.
2. Impacted areas shall be regraded to original contours following completion of work.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be done during drawdown.
6. Work shall be done during low flow.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
9. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
10. The sand bags shall be in place for no more than 3 years from the date of this approved amendment.
11. The approved coir logs shall be installed as originally approved and completed prior to the expiration date of this permit at the end of the 3 year period.
12. The applicant shall submit a surveyed plan indicating the location where the sand bags have been placed to the file within 30 days of installation.
13. The applicant shall submit photographs to the file within 30 days of installation of the sand bag installation.
14. The applicant shall submit and photographs of the complete coir log installation prior to the expiration date of this permit.
15. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

### With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(h), projects that disturb more than 200 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The proposed amendment is not a significant modification of the permit, therefore does not require Governor and Council approval.

-Send to Governor and Executive Council-

**2010-00224                      NH DEPT OF TRANSPORTATION**  
**HOOKSETT   Dalton Brook**

Requested Action:

Approve Amendment as received by NH DES Wetlands Bureau on May 19, 2011.

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Conservation Commission/Staff Comments:

Cons. Comm. - no comments

APPROVE AMENDMENT:

Permanently impact a total of 8861 square feet and temporarily impact 958 square feet of riverine and palustrine wetlands to widen US Rte 3/28 and improve flood conditions by the construction of: Three new reinforced concrete box culverts (5' high x 8' wide x approximately 200', 5' high x 8' wide x 57', and a 4' high x 12' wide x approximately 960' with a transition to a 6' high x 10' wide Box Culvert and a curved section connecting to the existing Culvert under Benton Road.); a flood storage area; and a parking area and other miscellaneous drainage improvements. NHDOT project #12537A.

With Conditions:

1. All work shall be in accordance with plans by NH Dept of Transportation Bureau of Highway Design dated May 2011, as received by the Department on May 19, 2011.
2. This permit is contingent on review and written approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. This approval is contingent upon receipt of temporary construction easements or similar prior to construction.
5. This permit is contingent upon review and coordination with the DES Watershed Management Bureau's Water Quality Planning Section.
6. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. The applicant shall notify in writing the DES Wetlands Bureau, the Hooksett Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
8. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
9. Work within riverine areas shall be done during low flow.
10. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation and areas cleared of vegetation shall have begun to be revegetated within three days of the completion of this project.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
13. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
14. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
15. No equipment shall enter the water.
16. Prior to commencing work on a substructure within surface waters, a sandbag or other approved cofferdam shall be constructed to isolate the substructure work area from the surface waters.
17. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.

18. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
19. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow., High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
20. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
21. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
22. Temporary cofferdams shall be entirely removed immediately following construction.
23. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
24. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
25. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
26. Within 60-days of the completion of the project a post construction report, including photographs illustrating the status of the completed project, shall be submitted to the file.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks. For intermittent streams, the distance shall be measured along the thread of the channel.
2. The proposal is designed to mitigate a serious flooding issue upstream while not impacting any downstream properties.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided an engineering analysis that indicates that the proposed structures will pass a 50-year storm event.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has provided information documenting that the current proposal will not change the length of flow path of Dalton Brook.
7. The applicant has stated that the overall flood storage of this project will be increased by 130 cubic yards.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
9. The Department determined that mitigation is not required for this project as it is a public project that is providing a public benefit and also is an improvement over the existing aquatic resources.
10. The Department finds that Chapter Env-Wt 900 rules were not in effect when the application was submitted, and therefore the standards set by those rules do not apply to the application.
11. The Department finds that the temporary business impacts associated with construction will be limited to the greatest extent possible and will overall be less impacting closures associated with the flooding of the roadways and business lots in the area.
12. The Department finds that the provided plans and application accurately represented the minor changes in the location of Dalton Brook.
13. The Department finds that the proposed project will not infringe on the property rights or unreasonably affect the value or enjoyment of the abutting property owner as the stream is currently in a culvert under their property.
14. The Department finds that the proposed project as designed meets the requirements of Env-Wt 803.06(a), Alternative Compensatory Mitigation Proposals, as the project increases the flood storage and increases the hydrologic capacity of the culverts.
15. The Department finds the applicant has demonstrated knowledge of the water quality rules and regulations and notes that the permit requires the coordination with the Department's Watershed Management Water Quality Planning Section.
16. The Department of Transportation has provided a letter of written authorization for work on the Merchants Motors property.

**2011-00193                      SONNABEND-CICCOLO NOMINEE TRUST**  
**RYE   Sagamore Creek**

Requested Action:

Impact 2,422 sq. ft. within the 100-foot tidal buffer zone to install a riprap revetment along 309 linear feet of shoreline frontage on Sagamore Creek.

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Conservation Commission/Staff Comments:

See findings.

APPROVE PERMIT:

Impact 2,422 sq. ft. within the 100-foot tidal buffer zone to install a riprap revetment along 309 linear feet of shoreline frontage on Sagamore Creek.

With Conditions:

1. All work shall be in accordance with plans by Riverside & Pickering Marine Contractors dated 6 January 2011, as received by the NH Department of Environmental Services (DES) on February 1, 2011.
2. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
5. Work on the riprap revetment shall be done during low tide only.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
9. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(b) Projects within 100 feet of the highest observable tide line that alter any bank, flat, wetlands, surface water, or undeveloped uplands, except for repair of existing structures pursuant to Env-Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. A memo dated 8/23/2011 (the "Memo") from the NH Natural Heritage Bureau (the "NHB") stated, "We [NHB] currently have no recorded occurrences for sensitive species near this project area."
6. DES Staff conducted a field inspection of the proposed project on March 10, 2011. Field inspection determined that vegetated stabilization is not an option along this particular area as tidal and wave energy are too erosive. The areas of salt marsh vegetation identified on the plans and location of the proposed docking structures are accurate.
7. In accordance with Env-Wt 404.04(a) the applicant has demonstrated that the anticipated turbulence, flows, restricted space, or similar factors render vegetative and diversion methods physically impractical.
8. The applicant requested a waiver of Env-Wt 404.04(e) as the length of requested riprap exceeds 100 linear feet.
9. DES hereby grants the waiver of Env-Wt 404.04(e) in accordance with Env-Wt 204.04(a) as granting the request will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety; or an impact on abutting properties that is more significant than that which would result from complying with the rule. Furthermore, granting the request is consistent with the intent and purpose of the rule being waived. Strict compliance with the rule will provide no benefit to the public and will cause an economic hardship to the applicant.
10. Pursuant to Env-Wt 304.04(a), the applicant received notarized, written concurrence from those abutters whose properties are within 20-feet of the proposed impacts.
11. "The [Rye Conservation] Commission agrees that the requested shoreline stabilization with rip rap is the best way to treat this

area. There are no objections with this project."

**2011-00450                      300 MAIN STREET REALTY LLC**  
**NASHUA   Tributary To Salmon Brook**

**Requested Action:**

Impact a total of 12,342 sq. ft. within Salmon Brook Prime Wetland contiguous with Salmon Brook to replace (two) 2 deteriorated 10-foot wide by 187-feet long corrugated metal pipes and reduce the length of the pipes to 112-feet to reveal 75-feet of additional stream lined with riprap.

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**Conservation Commission/Staff Comments:**

The Nashua Conservation Commission did not comment on the project.

**APPROVE PERMIT:**

Impact a total of 12,342 sq. ft. within Salmon Brook Prime Wetland contiguous with Salmon Brook to replace (two) 2 deteriorated 10-foot wide by 187-feet long corrugated metal pipes and reduce the length of the pipes to 112-feet to reveal 75-feet of additional stream lined with riprap.

**With Conditions:**

1. All work shall be in accordance with plans by Appledore Engineering dated February 28, 2011, as received by the NH Department of Environmental Services (DES) on March 4, 2011.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. No work shall exceed the southerly property line without express written permission of the landowner submitted to and acknowledged by DES. No work on the property of the permittee shall result in negative environmental impact on the property of any abutter.
5. All failed structures shall be removed from within the Salmon Brook, including the concrete headwall and fence located at the outlet end of the existing failed culverts, as well as the culverts and any associated debris.
6. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
8. Orange construction fencing shall be placed at the limits of construction; siltation/erosion controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Erosion control and construction sequence notes on the approved plans shall be explicitly followed.
12. A professional engineer shall inspect the project to insure compliance with approved plans and permit conditions.
13. Unconfined work within Salmon Brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
14. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
15. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
16. Temporary cofferdams shall be entirely removed immediately following construction.
17. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with straw bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
18. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

19. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
22. Silt fencing must be removed once the area is stabilized.
23. Proper headwalls shall be constructed within seven days of culvert installation.
24. Work shall be done during low flow.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to designated prime wetlands under RSA 482-A:15.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that his/her project, as approved and conditioned, is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The detailed engineering plans accurately locate the boundary of the wetlands and prime wetlands.
6. The erosion controls, water velocity controls, grass treatment swales, stabilization methods, culvert sizing and invert elevations will protect the ability of the wetlands to retain floodwaters and silt.
7. The project as approved and constructed in adherence to the provided construction sequence, erosion controls, water treatment system and maintenance program offsets impact from any increased runoff created by the development.
8. Based on the findings above, there is clear and convincing evidence this proposal will have no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.
9. DES determined that the proposed improvements will not have a significant impact on the functions and values of the prime wetland resources so no mitigation is required.
10. Public hearing is not required with the finding that the project will not adversely impact wetland areas that are considered to be of special value from a local, regional, or state perspective pursuant to Env-Wt 101.90.
11. The applicant proposes a alternate design pursuant to Env-Wt 904.09 as adhering to Env-Wt 904.05 is not practicable.

Any party may apply for reconsideration with respect to any matter determined in this action within 30 days from the date of this notification. A motion for reconsideration must specify all grounds upon which future appeals may be based, and should include information not available to the Department when the decision was made. The Department may grant reconsideration if, in its opinion, good reason is provided in the motion.

**2011-00672                      GOODHUE HAWKINS NAVY YARD LLC**  
**WOLFEBORO   Lake Winnepesaukee**

Requested Action:

Reconfigure an existing dock with in a major docking system providing 2 less slips and less sq feet of permanent dock impact over public waters, install four 20 ft x 20 ft seasonal canopies over the created slips within an existing marina providing 79 slips on Lake Winnepesaukee, Wolfeboro.

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APPROVE PERMIT:

Reconfigure an existing dock with in a major docking system providing 2 less slips and less sq feet of permanent dock impact over public waters, install four 20 ft x 20 ft seasonal canopies over the created slips within an existing marina providing 79 slips on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co dated March 24, 2011, as received by the NH Department of Environmental Services (DES) on April 01, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
4. Repairs of the main dock shall maintain the size, location and configuration of the pre-existing structures.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of a major docking facility.
2. The proposal is a reconfiguration of an existing docking structure within the existing footprint.
3. The applicant has an average of 481 feet of frontage along Lake Winnepesaukee.
4. A maximum of 19 slips may be permitted on this frontage per Rule Env-Wt 402.16, 'Marinas'.
5. The proposed docking facility will provide 79 slips as defined per RSA 482-A:2, this is 2 less slips than previously existed within the major docking facility, and the proposal provides less sq ft of dock surface area over public waters than the existing structures, thus meeting Env-Wt 402.21.

-Send to Governor and Executive Council-

**MINOR IMPACT PROJECT**

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**2007-01718                      CARON REVOC TRUST, DONALD**  
**EXETER    Unnamed Wetland**

Requested Action:

Request name change to:

Contoocook River Loft, LLC

Attn: Eric Chinburg

8 Newmarket Road

Durham, NH 03824

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Conservation Commission/Staff Comments:

The Exeter Conservation Commission recommends approval of the project as represented on plans with the last revision date of 3/16/09, with project specific conditions, and has agreed to hold the conservation easement pending final approval.

Inspection Date: 10/25/2007 by Frank D Richardson



APPROVE NAME CHANGE:

Approve name change to:

Contoocook River Loft, LLC  
Attn: Eric Chinburg  
8 Newmarket Road  
Durham, NH 03824

On project to: Dredge and fill a total of 17,140 sq. ft. of palustrine forested/scrub-shrub wetlands to construct a roadway with culvert crossings and appurtenant drainage structures to access a 25-lot open space residential subdivision, serviced by municipal water and sewer, on a 43.35 acre parcel of land of which 21.59 acres will be held in a conservation easement.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 5/30/07 (last revised 11/15/10), as received by DES on January 11, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
5. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
6. NH DES Wetlands Bureau Southeast Region staff and the Exeter Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NH DES Wetlands Bureau Southeast Region staff and the Exeter Conservation Commission at the project site or at the DES Office in Portsmouth, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, the professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. An annual monitoring report documenting site conditions shall be provided to the DES Wetlands Bureau and the Exeter Conservation Commission on or before December 1st of each year for the 5-year duration of this permit.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
13. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
17. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau.
18. A post-construction report documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau and the Exeter Conservation Commission within 60 days of the completion of construction.
19. The permit holder and their agents shall coordinate with the Department of Resources and Economic Development – Natural

Heritage Bureau and the Fish and Game Department to ensure that impact to sensitive and protected species are avoided or mitigated for prior to construction.

**Compensatory Wetlands Mitigation:**

1. This permit is contingent upon the execution of a conservation easement on 21.59 acres as depicted on plans by Jones & Beach Engineers, Inc. dated 5/30/07 (last revised 3/16/09)(drawing no. CE1) as received by the DES April 08, 2009.
2. The conservation easement to be placed on the preservation area shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the Rockingham County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
4. The permittee shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on October 25, 2007. Field inspection determined this project avoids impacts to the Little River wetlands complex and impacts are adequately compensated for with the proposed mitigation.

**2010-03240                      HOLDER FAMILY REV TRUST OF 2003, THE  
HAMPTON    Tidal Buffer Zone**

**Requested Action:**

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the expansion of a primary structure on a lot within the protected shoreland that exceeds 30% impervious surface coverage.

Impact a total of 3,306 sq. ft. within the previously disturbed 100-foot tidal buffer zone to remove the existing 1 (one) story dwelling and gravel drive and construct a new, single family residential dwelling and with a pervious driveway and walkway.

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**Conservation Commission/Staff Comments:**

2/18/11 - EML spoke with MSC and DES is awaiting revised plans reflecting changes requested by the Hampton PB.

**APPROVE CSPA WAIVER:**

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the expansion of a primary structure on a lot within the protected shoreland that exceeds 30% impervious surface coverage.

Impact a total of 3,306 sq. ft. within the previously disturbed 100-foot tidal buffer zone to remove the existing 1 (one) story dwelling and gravel drive and construct a new, single family residential dwelling and with a pervious driveway and walkway.

With Conditions:

1. All work shall be in accordance with plans by 'Wetlands Permit Plan' dated October 28, 2010, as received by the NH Department of Environmental Services (DES) on 4/12/11.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the Rockingham Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No more than 43.44% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
7. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
8. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
9. No impacts shall occur to natural ground covers within the waterfront buffer.
10. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b) Projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were received from the federal agencies.
6. No comments of concern on the proposed project were received by DES.
7. The existing non-conforming structure is located within the 50 ft primary building setback to highest observable tide line and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the CSPA.
8. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
9. The project as proposed would result in the removal of an existing one (1) story residential dwelling and construction of a new, two (2) story residential dwelling.
10. The applicant has proposed to install stormwater management controls and replace an existing parking area with pervious technologies, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.
11. Pursuant to Env-Wt 204.03, the applicant requested a waiver to rule Env-Wt 304.04(a) as neither of the abutters had responded to the applicants written request for their consent.
12. In accordance with Env-Wt 204.04, granting the request will not result in an adverse effect to the environment or natural resources of the state, public health public safety as the lot is entirely within the previously disturbed 100-foot tidal buffer zone. Furthermore, this project will not adversely impact abutting properties as the new dwelling will comply with local zoning ordinances and removing the existing dwelling that currently encroaches onto the abutting property.

13. Granting the waiver request is consistent with the intent and purpose of the rule being waived (Env-Wt 304.04(a) as the new dwelling will comply with the Town of Hampton building setbacks and will be located entirely on the applicants property.

**2010-03340                      WILLIAM SMITH WOODWARD REV TRUST OF 2002**  
**DURHAM   Unnamed Wetland**

**Requested Action:**

Dredge and fill a total of 6,956 square feet of isolated forest wetlands over two locations to construct access and for lot development associated with the construction of a multi-unit college student housing development on a 42-acre parcel.

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**APPROVE PERMIT:**

Dredge and fill a total of 6,956 square feet of isolated forest wetlands over two locations to construct access and for lot development associated with the construction of a multi-unit college student housing development on a 42-acre parcel.

**With Conditions:**

1. All work shall be in accordance with plans by Appledore Engineering dated 12/1/2010, as received by the NH Department of Environmental Services (DES) on 12/13/2010.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Identification of the conservation easement holder shall be provided to DES in writing for coordination purposes.
4. Installation of erosion/siltation controls shall be placed in a manner that does not obstruct amphibian passage.
5. Pursuant to the recommendations of NH Fish & Game Department, vegetated wetland buffers and canopies shall be maintained as "no-cut" zones around the vernal pools as identified in the application, and there shall be no straight cut curbing installed adjacent to wetland areas or catch basins.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. Silt fencing must be removed once the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in non-tidal wetlands which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project will provide an increased supply of private student housing in close proximity to Durham available and designed for UNH students.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant had developed various alternative layouts before ultimately creating a design that would avoid wetland impacts except to the isolated forested wetland in the approximate center of the development, and which would still meet the project purpose.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The applicant has coordinated with NH Fish & Game Department ("NHFG") to address the occurrence of several species of concern reported for the project vicinity by the NH Natural Heritage Bureau. In email communication dated 3/1/2011, NHFG stated that it was satisfied with the efforts taken by the applicant to reduce impacts to the species. NHFG's recommendations have been further incorporated into the permit by DES as conditions.
5. The Durham Conservation Commission ("DCC") reported concerns with the project, including potential project turtle impacts; the project occurring in a portion of the NHFG Highest Ranking Habitat; and project conflicts with Durham zoning regulations.

6. In response to the concerns of the DCC relative to turtle protection, DES finds that the applicant has incorporated the comments and recommendations of NHFG into the project design, and that DES has further reinforced those protections as permit conditions.
7. In response to the concern of the DCC relative to the overall project impacts that will occur on a 42-acre site included in NHFG Highest Ranking Habitat, as well as the project conflicting with Durham zoning regulations, DES finds that these issues are largely beyond the scope of wetlands jurisdiction, with the exception of the 6,956 square feet of direct wetlands impact applied for.
8. The project received a DES Shoreland Permit, 2011-347, on 3/8/2011.

**2011-00372                      NH DEPT OF TRANSPORTATION**  
**WARNER   Colby Brook**

Requested Action:

Install a concrete invert in a 10.5 ft. x 164 ft. culvert, repair wingwalls & cutoff walls and install a fish weir at the outlet impacting 1,226 sq. ft. (605 sq. ft. temporary) of riverine wetlands.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

APPROVE PERMIT:

Install a concrete invert in a 10.5 ft. x 164 ft. culvert, repair wingwalls & cutoff walls and install a fish weir at the outlet impacting 1,226 sq. ft. (605 sq. ft. temporary) of riverine wetlands. NHDOT project #99064Z.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Bridge Maintenance dated 11/2010, as received by the Department on Feb. 16, 2011.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Construction equipment shall not be located within surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
10. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Appropriate storm water management and erosion control Best Management Practices (BMP) shall be implemented to ensure turbidity impacts are minimized and water quality standards are not violated. If the BMP conflicts with terms or conditions of this permit, the terms and conditions of this permit shall control.
14. The project engineer shall oversee installation of erosion controls and periodically verify that the controls are properly

maintained during construction.

15. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.

16. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

17. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of banks of a stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was coordinated and discussed at the monthly Natural Resource Agency meeting held on Jan. 19, 2011.

**2011-00393                      OLSEN, JAMES/KENNETH**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

Construct a 6 ft x 54 ft piling supported dock with a 6 ft x 30 ft piling supported dock with a 6 ft x 25 ft walkway in a "h" configuration with 6 tie off piles, two 3 pile ice clusters, 2 seasonal PWC lifts, 2 permanent boat lifts in the center slips, and a 27 ft x 31 ft seasonal canopy over the center slips, accessed by a 6 ft x 28 ft wood stairs and walkway over the bank, on an average of 263 ft of frontage on Lake Winnepesaukee, Gilford.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com submitted comments stating, plan showing 20 ft setbacks,  
plan showing current structures

APPROVE PERMIT:

Construct a 6 ft x 54 ft piling supported dock with a 6 ft x 30 ft piling supported dock with a 6 ft x 25 ft walkway in a "h" configuration with 6 tie off piles, two 3 pile ice clusters, 2 seasonal PWC lifts, 2 permanent boat lifts in the center slips, and a 27 ft x 31 ft seasonal canopy over the center slips, accessed by a 6 ft x 28 ft wood stairs and walkway over the bank, on an average of 263 ft of frontage on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans by John St John dated January 2011, as received by the Department on February 18, 2011.
2. The dock dimensions shall be as listed in plan notes as the submitted plan is not to scale.
3. This permit shall not be effective until it has been recorded with the Belknap County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
5. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
6. Repairs shall maintain existing size, location and configuration.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. This permit does not allow for maintenance dredging.
9. The dock shall not extend more than 54 ft lakeward at full lake elevation of 504.32.

10. The minimum clear spacing between piles shall be 12 feet.
11. Seasonal PWC lifts shall be removed for the non-boating season.
12. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
13. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking system that exceeds the criteria for minimum impact docks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 263 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2011-00858                      TAMWORTH, TOWN OF**  
**TAMWORTH   Unnamed Stream Bearcamp River**

Requested Action:

Impact 60 square feet of the bed and banks of Stony Brook to protect a bridge abutment by placing boulders.

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APPROVE PERMIT:

Impact 60 square feet of the bed and banks of Stony Brook to protect a bridge abutment by placing boulders.

With Conditions:

1. All work shall be in accordance with the plans by Paul L. King, LLS, PE entitled Gilman Valley Road Bride Abutment Stabilization dated Apr 2011 as received by DES April 25, 2011.
2. Work shall be done during low flow.
3. No equipment shall enter the water.
4. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will

require a new application and approval by the Bureau.

With Findings:

1. This is a minor project per Administrative Rule Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n). For intermittent streams, this distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The plans were stamped by a licensed professional engineer.
4. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, or the Natural Heritage Bureau.

## MINIMUM IMPACT PROJECT

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**2011-00322                      PEASE DEVELOPMENT AUTHORITY**  
**PORTSMOUTH   Tributary To Hodgdon Brook**

Requested Action:

Dredge a total of 5,100 square feet (560 linear feet and 715 linear feet in two sections) of accumulated stormwater sediment and invasive plant species to abate flooding and restore proper flow to a total of 1,275 linear feet of intermittent stream previously impacted by the US Air Force on the Pease Tradeport property.

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APPROVE PERMIT:

Dredge a total of 5,100 square feet (560 linear feet and 715 linear feet in two sections) of accumulated stormwater sediment and invasive plant species to abate flooding and restore proper flow to a total of 1,275 linear feet of intermittent stream previously impacted by the US Air Force on the Pease Tradeport property.

With Conditions:

1. All work shall be in accordance with plans by Swamp Inc. dated 9/22/2010, as received by the NH Department of Environmental Services (DES) on 2/7/2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredge area shall be confined to existing stream meanders and not straighten, widen, or otherwise change the restored nature of the stream, other than to remove stormwater sediments and invasive plants choking the channel flow.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(0), projects deemed minimum based on the degree of environmental impact. This project is essentially a maintenance dredge to remove artificially introduced sediments and subsequently growing invasive species from the stream bed which are causing flooding, and is confined to the natural path of the stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The US Air Force channelized this intermittent stream when the Pease Airbase was constructed, then did not maintain the ditched stream. The stream has



redeveloped meanders, but has also received a significant sediment load associated with the development of the Tradeport that has clogged the stream flow and created flooding over roadways, which needs to be remediated.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The work is confined to the existing meanders and will not negatively impact the natural restoration that the stream has undergone.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau reported that, while there is a record of an occurrence of a species of concern in the project vicinity, it is not expected to be impacted by the project.

5. The Portsmouth Conservation Commission recommends approval of the project.

**2011-00701                      WINNIPESAUKEE RIVER BASIN PROGRAM**  
**BELMONT   Witcher Brook**

**Requested Action:**

Confirm emergency authorization issued April 6, 2011 to remove debris and sediment that was partially blocking the box culvert and causing flooding.

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**CONFIRM EMERGENCY AUTHORIZATION:**

Confirm emergency authorization issued April 6, 2011 to remove debris and sediment that was partially blocking the box culvert and causing flooding.

**With Conditions:**

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

**FORESTRY NOTIFICATION**

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**2011-00929                      HAUCK, EDMOND**  
**BRADFORD   Unnamed Stream**

**COMPLETE NOTIFICATION:**

Bradford Tax Map 7, Lot# 29

**2011-01077                      GILROY, THOMAS/LOUISE CRAWFORD**  
**FRANCESTOWN   Unnamed Stream**

COMPLETE NOTIFICATION:  
FRancestown Tax Map 5, Lot# 72

**2011-01078                      RING, HARRY**  
**NORTHWOOD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Northwood Tax Map 203, Lot# 19

**2011-01079                      KAATZ, RUSSELL**  
**DEERFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Deerfield Tax Map 411, Lot# 41 & 42

**2011-01080                      NEW HAMPTON, TOWN OF**  
**NEW HAMPTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Nottingham Tax Map U2, Lot# 3

**2011-01085                      SORRELL, NICK**  
**DANBURY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Danbury Tax Map 411, Lot# 8

**2011-01086                      COLE, CHARLES**  
**DANBURY   Unnamed Stream**

COMPLETE NOTIFICATION:  
Danbury Tax Map 411, Lot# 107

**2011-01089                      GOODSTEIN, CHARLES**  
**BARRINGTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Barrington Tax Map 241, Lot# 15

**2011-01091                      ROHR, WALTER**  
**NELSON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Nelson Tax Map 3, Lot# 40

**2011-01106                      WARBURTON, MURIEL**  
**BARNSTEAD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Barnstead Tax Map 13, Lot# 40

**2011-01107                      POIRIER, ARMAND**  
**LYNDEBOROUGH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Lyndeboro Tax Map 225, Lot# 16

**2011-01128                      PLUM CREEK MAINE TIMBERLANDS LLC**  
**WENTWORTHS LOCA   Unnamed Stream**

COMPLETE NOTIFICATION:  
Wentworth's Location Tax Map 1624, Lot# 3

**2011-01134                      PIROVANE FAMILY, ROBERT**  
**WEARE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Weare Tax Map 409, Lot# 188 & 204

**2011-01165                      STEINEGGER, NANCY**  
**WINCHESTER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Winchester Tax Map 6, Lot# 24

**2011-01166                      POOR, ANNE**  
**FREEDOM   Unnamed Stream**

COMPLETE NOTIFICATION:  
Freedom Tax Map 9, Lot# 13-1 & 13-2

**2011-01167                      VIRTUOUS REALTY LLC**  
**BARRINGTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Barrington Tax Map 238, Lot# 44, 44.1

**2011-01170                      GARGANO, C**  
**MASON   Unnamed Stream**

COMPLETE NOTIFICATION:

Mason Tax Map E, Lot# 21

**2011-01172                      PUGSLEY, RICHARD**  
**ALTON   Unnamed Stream**

COMPLETE NOTIFICATION:

Alton Tax Map 11, Lot# 18

**EXPEDITED MINIMUM**

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**2011-00518                      BEANE, MAUREEN**  
**HANOVER   Tributary To Great Hollow Brook**

Requested Action:

Dredge and fill 466 square feet of intermittent stream and associated wetlands for access. 141 square feet of the impacts are temporary and will be restored to pre-construction condition.

\*\*\*\*\*

APPROVE AMENDMENT:

Dredge and fill 466 square feet of intermittent stream and associated wetlands for access. 141 square feet of the impacts are temporary and will be restored to pre-construction condition.

With Conditions:

1. All work shall be in accordance with plans by Pathways Consulting, LLC entitled Site Plan for Maureen Beane (Sheet 1 of 1) as revised on May 06, 2011 and received by DES on May 06, 2011.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Work shall be done during periods of non-flow.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. The culverts shall be laid at original grade.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

DES reaffirms findings 1 through 7 with additional findings.

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (n) Any project not otherwise specified in this section that alters the course of or disturbs less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
5. The culvert was designed to pass 50 year storm event.
6. The Hanover Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
8. On May 25, 2011 DES received a proposed amendment request.
9. The applicant requested the removal of condition number 2 of the permit which states: this permit is contingent on approval by the DES Subsurface Systems Bureau.
10. The request is granted as the crossing will provide access to the upland portion of the lot.

**2011-00554 PALUMBO, JOHN/LINDA**  
**EAST WAKEFIELD Pine River Pond**

Requested Action:

Repair an existing 115 linear feet of retaining wall with a 4 ft stair in the wall on Pine River Pond, Wakefield.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 115 linear feet of retaining wall with a 4 ft stair in the wall on Pine River Pond, Wakefield.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on April 25, 2011.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Repair shall maintain existing size, location and configuration.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls in the dry.

**2011-00764 PETERSON, KENNETH**  
**NEWINGTON Unnamed Wetland**

Requested Action:

Fill a total of 988 sq. ft. of wetlands and installation of culverts in two locations to construct a driveway to access uplands for the construction of an indoor riding ring.

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Conservation Commission/Staff Comments:

The Newington Conservation Commission signed the expedited application.

APPROVE PERMIT:

Fill a total of 988 sq. ft. of wetlands and installation of culverts in two locations to construct a driveway to access uplands for the construction of an indoor riding ring.

With Conditions:

1. All work shall be in accordance with plans by Geosphere Environmental Management, Inc. dated March 15, 2011, as received by the NH Department of Environmental Services (DES) on April 13, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. No fill shall be done for lot development.
8. No fill shall take place in Atlantic white cedar swamps.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that wetland impacts are necessary to access uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has demonstrated that the wetland crossings are located at the most narrow locations.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau (NHB) have record of a rare wildlife, plant, and/or natural community present within the vicinity of the project area, but NHB does not expect it will be impacted by the project.

**2011-00773                      MATOTT II, FRANCIS/SARA**  
**LITTLETON   Unnamed Wetland**

Requested Action:

Dredge and fill 1,300 square feet of wetlands and associated intermittent stream for access to a single family residence.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 1,300 square feet of wetlands and associated intermittent stream for access to a single family residence.

With Conditions:

1. All work shall be in accordance with plans by Far North Designs dated April 11, 2011 as received by DES on April 14, 2011.
2. Work shall be done during periods of non-flow.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. The culvert shall be laid at original grade.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per 303.04 (n) Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
6. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

**2011-00856                      NESENSKEAG HILL ASSOCIATES**  
**LONDONDERRY   Unnamed Stream Unnamed Wetland**

Requested Action:

Temporarily impact 162 sq. ft. of palustrine forested wetland to install an 8-inch water line for public benefit.

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Conservation Commission/Staff Comments:

The Milford Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Temporarily impact 162 sq. ft. of palustrine forested wetland to install an 8-inch water line for public benefit.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated December 30, 2010, as received by the NH Department of Environmental Services (DES) on April 25, 2011.
2. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. Work shall be conducted during low flow or no flow conditions;

4. Appropriate siltation, erosion or turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized;
5. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700;
6. All disturbed areas shall be regraded to original contours and stabilized within 72 hours following completion of work using seed and mulch during the growing season, or if not within the growing season, by mulching with tack or netting and pinning;
7. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands bureau will require a new application and further permitting by the Bureau.
8. Within 10 calendar days following the completion of the project, photographs shall be submitted to DES depicting the areas where the impact occurred. Mount or print dated and labeled photos on 8-1/2" x 11" sheets of paper and mail or send electronically to the DES.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A memo dated 3/25/11 (the "Memo") from the NH Natural Heritage Bureau ("NHB") identified one (1) State endangered vertebrate species within the vicinity of the project.
6. In response to the NHB Memo, NHFG Nongame and Endangered Species Program does "not expect impacts to the species based on the small amount of wetland impact involved but recommended that construction crews be advised of the potential presence of Blanding's turtle."
7. The applicant included the NHFG recommendation on the approved plan.

**2011-00908                      GURNEY, SHANE**  
**EATON   Shepards River**

Requested Action:

Restore aquatic habitat for native brook trout along 1,000 linear feet of Shepards River by cutting trees/wood into the brook.

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APPROVE PERMIT:

Restore aquatic habitat for native brook trout along 1,000 linear feet of Shepards River by cutting trees/wood into the brook.

With Conditions:

1. All work shall be in accordance with the approved plans, as received by DES on April 29, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. No trees shall that are stabilizing banks or slopes shall be cut.
5. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
6. Trees that are stabilizing slopes and banks shall be left intact.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposed to restore degraded aquatic resources that benefit native brook trout.
2. This restoration project is supported by the NH Fish & Game Dept. and the US Forest Service by serving on the Advisory Board



for this trout habitat improvement project.

3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
7. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

**2011-00910                      MARSHALL, SUTTON**  
**EAST CONWAY   Mason Brook**

Requested Action:

Restore aquatic habitat for native brook trout along 1,000 linear feet of Mason Brook by cutting trees/wood into the brook.

\*\*\*\*\*

APPROVE PERMIT:

Restore aquatic habitat for native brook trout along 1,000 linear feet of Mason Brook by cutting trees/wood into the brook.

With Conditions:

1. All work shall be in accordance with the approved plans, as received by DES on April 29, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. No trees shall that are stabilizing banks or slopes shall be cut.
5. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
6. Trees that are stabilizing slopes and banks shall be left intact.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposed to restore degraded aquatic resources that benefit native brook trout.
2. This restoration project is supported by the NH Fish & Game Dept. and the US Forest Service by serving on the Advisory Board for this trout habitat improvement project.
3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
7. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

**2011-00912                      ABRAMS, BRIAN**  
**CONWAY   Conway Lake**

Requested Action:

Restore aquatic habitat for native brook trout along 1,000 linear feet of a perennial stream by cutting trees/wood into the brook.

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APPROVE PERMIT:

Restore aquatic habitat for native brook trout along 1,000 linear feet of a perennial stream by cutting trees/wood into the brook.

With Conditions:

1. All work shall be in accordance with the approved plans, as received by DES on April 29, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. No trees shall that are stabilizing banks or slopes shall be cut.
5. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
6. Trees that are stabilizing slopes and banks shall be left intact.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposed to restore degraded aquatic resources that benefit native brook trout.
2. This restoration project is supported by the NH Fish & Game Dept. and the US Forest Service by serving on the Advisory Board for this trout habitat improvement project.
3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
7. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

**2011-00913                      TIN MOUNTAIN CONSERVATION CENTER**  
**EAST CONWAY   White Lot Brook**

Requested Action:

Restore aquatic habitat for native brook trout along 1,000 linear feet of White Lot Brook by cutting trees/wood into the brook.

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APPROVE PERMIT:

Restore aquatic habitat for native brook trout along 1,000 linear feet of White Lot Brook by cutting trees/wood into the brook.

With Conditions:

1. All work shall be in accordance with the approved plans, as received by DES on April 29, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. No trees shall that are stabilizing banks or slopes shall be cut.
5. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
6. Trees that are stabilizing slopes and banks shall be left intact.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposed to restore degraded aquatic resources that benefit native brook trout.
2. This restoration project is supported by the NH Fish & Game Dept. and the US Forest Service by serving on the Advisory Board for this trout habitat improvement project.
3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.

4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
7. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

**2011-00927                      VAN LOAN, JAN**  
**BEDFORD   Unnamed Wetland**

Requested Action:

Proposal to dredge and fill 1350 sq. ft. of forested wetlands to install a 24 in. x 37 ft. culvert and associated rip rap for access to a single family lot in a previously approved subdivision.

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Conservation Commission/Staff Comments:

1. The Conservation Commission signed the expedited application waiving their right to intervene and provided comments recommending approval.

APPROVE PERMIT:

Dredge and fill 1350 sq. ft. of forested wetlands to install a 24 in. x 37 ft. culvert and associated rip rap for access to a single family lot in a previously approved subdivision.

With Conditions:

1. All work shall be in accordance with plans by Eric Mitchell and Associates dated March 22, 2011, as received by the NH Department of Environmental Services (DES) on May 2, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on lot 67-1.
4. The deed which accompanies the sales transaction for lot 67-1 in this subdivision shall contain condition #3 of this approval.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Work shall be done during low flow.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of impact to a forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. The crossing was previously approved under DES Wetlands Bureau's file #2002-02634.
6. The permit expired before construction could be completed.

**2011-00931 MYERS, MELISSA**  
**TAMWORTH Sanborn Brook**

Requested Action:

Restore aquatic habitat for native brook trout along 1,000 linear feet of Sanborn Brook by cutting trees/wood into the brook.

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APPROVE PERMIT:

Restore aquatic habitat for native brook trout along 1,000 linear feet of Sanborn Brook by cutting trees/wood into the brook.

With Conditions:

1. All work shall be in accordance with the approved plans, as received by DES on May 02, 2011.
2. There shall be no work in areas under the jurisdiction of the DES Wetlands Bureau that is within 20 feet of an abutting property line unless the applicant receives written agreement from the affected abutter.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work shall be done during low flow conditions.
5. No trees shall that are stabilizing banks or slopes shall be cut.
6. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
7. Trees that are stabilizing slopes and banks shall be left intact.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposed to restore degraded aquatic resources that benefit native brook trout.
2. This restoration project is supported by the NH Fish & Game Dept. and the US Forest Service by serving on the Advisory Board for this trout habitat improvement project.
3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
7. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

**2011-00967 MORTON, THOMAS**  
**NORTH SANDWICH Mill Brook**

Requested Action:

Restore aquatic habitat for native brook trout along 1,000 linear feet of Mill Brook by cutting trees/wood into the brook.

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APPROVE PERMIT:

Restore aquatic habitat for native brook trout along 1,000 linear feet of Mill Brook by cutting trees/wood into the brook.

With Conditions:

1. All work shall be in accordance with the approved plans, as received by DES on May 05, 2011.
2. There shall be no work in areas under the jurisdiction of the DES Wetlands Bureau that is within 20 feet of an abutting property

line unless the applicant receives written agreement from the affected abutter.

3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work shall be done during low flow conditions.
5. No trees shall that are stabilizing banks or slopes shall be cut.
6. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
7. Trees that are stabilizing slopes and banks shall be left intact.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposed to restore degraded aquatic resources that benefit native brook trout.
2. This restoration project is supported by the NH Fish & Game Dept. and the US Forest Service by serving on the Advisory Board for this trout habitat improvement project.
3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
7. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

**2011-01015 REID REVOC TRUST, JEAN**  
**DOVER Unnamed Wetland Piscataqua River**

Requested Action:

Fill 286 sq. ft. of wetland and installation of a 12 inch x 20 foot HDPE culvert to construct a driveway to serve a single-family residential lot.

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Conservation Commission/Staff Comments:

The Dover Conservation Commission signed the expedited application.

APPROVE PERMIT:

Fill 286 sq. ft. of wetland and installation of a 12 inch x 20 foot HDPE culvert to construct a driveway to serve a single-family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Tritech Engineering Corporation dated May 2, 2011, as received by the NH Department of Environmental Services (DES) on May 11, 2011.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. No fill shall be done for lot development.

8. No fill shall take place in Atlantic white cedar swamps.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that wetland impact is necessary to access uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has demonstrated that the wetland crossing is located at the most narrow location.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau (NHB) has no record of a rare wildlife, plant, and/or natural community present within the vicinity of the project area.
5. The Dover Conservation Commission signed the expedited application.

**2011-01051**                      **COLE, JEFFREY**  
**NOTTINGHAM**   **Unnamed Wetland**

Requested Action:

Fill 347 sq. ft. of wetland and installation of a 15 inch x 14 foot ADS culvert to construct a driveway to serve a single-family residential lot.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Nottingham Conservation Commission signed the expedited application.

APPROVE PERMIT:

Fill 347 sq. ft. of wetland and installation of a 15 inch x 14 foot ADS culvert to construct a driveway to serve a single-family residential lot.

With Conditions:

1. All work shall be in accordance with plans by Beals Associates, PLLC, as received by the NH Department of Environmental Services (DES) on May 13, 2011.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
6. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
7. No fill shall be done for lot development.
8. No fill shall take place in Atlantic white cedar swamps.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

10. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that wetland impact is necessary to access uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has demonstrated that the wetland crossing is located at the most narrow location.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau (NHB) has no record of a rare wildlife, plant, and/or natural community present within the vicinity of the project area.
5. The Nottingham Conservation Commission signed the expedited application.

**GOLD DREDGE**

\*\*\*\*\*

**2011-01159 AYOTTE, ROGER**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
CC Bath ConCom

**2011-01193 CUSA, FRANK**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2011-01212 ROSS, TODD**  
**(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**LAKES-SEASONAL DOCK NOTIF**

\*\*\*\*\*

**2011-01158 LANNAN, DAVID**  
**GILMANTON IRON WORKS Crystal Lake**

COMPLETE NOTIFICATION:

Gilmantin IW Tax Map 112, Lot# 47 Crystal Lake

**2011-01179                      DUFFY, JOHN**  
**WOLFEBORO   Crescent Lake**

COMPLETE NOTIFICATION:

Wolfeboro Tax Map 219, Lot# 12 Crescent Lake

**2011-01200                      CASCADDEN, DEAN**  
**MEREDITH   Lake Wicwas**

COMPLETE NOTIFICATION:

Meredith Tax Map R14, Lot# 24 Lake Wicwas

PERMIT BY NOTIFICATION

\*\*\*\*\*

**2011-00837                      PEASE DEVELOPMENT AUTHORITY, DIV. OF PORTS & HARBO**  
**RYE   Rye Harbor**

Requested Action:

In-kind replacement of the existing precast concrete slabs of the Rye Harbor boat ramp for continued usefulness.

\*\*\*\*\*

Conservation Commission/Staff Comments:

The Rye Conservation Commission signed the PBN.

PBN IS COMPLETE:

In-kind replacement of the existing precast concrete slabs of the Rye Harbor boat ramp for continued usefulness.

**2011-00940                      TOZESKI, STEPHEN**  
**WOLFEBORO   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no



change in size, location or configuration.

**2011-00992                      ROUGHAN, PAUL  
MEREDITH   Sallys Gut Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2011-01123                      MACKENIZE, MURDOCH  
WINDHAM   Cobbetts Pond**

Requested Action:

Install two docks attached to a non-conforming structure over public waters, install a seasonal boatlift, on Cobbetts Pond, Windham.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN application

PBN DISQUALIFIED:

Disqualify applicants request to install two docks attached to a non-conforming structure over public waters, install a seasonal boatlift, on Cobbetts Pond, Windham.

With Findings:

1. The proposal is to modify the existing non-conforming structure on the frontage.
2. The PBN was submitted to install two additional structures on the frontage.

**2011-01141                      NASWA MOTOR INN INC  
LACONIA   Lake Winnepesaukee**

Requested Action:

Disqualify PBN as work will be done in the water.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN DISQUALIFIED:

Disqualify PBN as work will be done in the water.

**2011-01160                      LITTLE ET AL, DAVID**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2011-01161                      EBELING TRUST, JUDITH**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2011-01162                      SPINDLE POINT REAKTY TRUST, K CROSS TTEE**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2011-01163                      LAFFERTY, ANDREW**  
**WASHINGTON   Unnamed Stream**

Requested Action:

Dredge and fill  $\pm$  100 sq. ft. of intermittent stream to install a replacement 24-in. x 30-ft. culvert for access to an existing single family residential lot.

\*\*\*\*\*

PBN IS COMPLETE:

Dredge and fill  $\pm$  100 sq. ft. of intermittent stream to install a replacement 24-in. x 30-ft. culvert for access to an existing single family residential lot.

With Findings:

1. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:3:11.
2. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a)(8), the replacement of a culvert to permit vehicular access to one single family residence on a watercourse with a contributing watershed less than 25 acres.
3. Subdivision of the lot is not proposed and the subject access is the only access to the lot.
4. Comments of concern were not submitted from the Natural Heritage Bureau.

**2011-01164                      BOWEN, ROBERT**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2011-01194                      BAY VIEW CONDO ASSOCIATION, DOUGLAS POTTER**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2011-01195                      SINGLETON, GEORGE & BERNICE**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**CSPA PERMIT**

\*\*\*\*\*

**2008-01748                      17 RIVERSIDE REALTY LLC, MEG ASSET MGMT**  
**NASHUA   Mill Pond**

Requested Action:

Impact 12,947 sq ft for regrading and the construction of a parking lot.

\*\*\*\*\*

APPROVE AMENDMENT:

Impact 12,947 sq ft for regrading and the construction of a parking lot.

With Conditions:

1. All work shall be in accordance with plans by HSI Hayner/Swanson, Inc. dated April 21, 2011 and received by the Department of Environmental Services ("DES") on April 26, 2011.
2. No more than 14.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed shall impact no existing unaltered areas within the Natural Woodland Buffer beyond the primary building setback.
4. The proposed porous asphalt shall be installed and maintained in accordance with the manufacturers specifications.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2009-00439                      TWIN BRIDGE MANAGEMENT LLC**  
**NEW BOSTON   Middle Branch Piscataquog**

Requested Action:

Impact 25,129 sq ft for the purpose of constructing a new road to a subdivision and a bio-retention area.

\*\*\*\*\*

APPROVE AMENDMENT:

Impact 25,129 sq ft for the purpose of constructing a new road to a subdivision and a bio-retention area.

With Conditions:

1. All work shall be in accordance revised plans by Meridian Land Services, Inc. last revised March 31, 2011 and received by the Department of Environmental Services ("DES") on April 5, 2011.
2. All proposed impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is contingent upon compliance with the DES Wetlands Bureau Letter of Deficiency dated July 17, 2009, for DES Wetlands Bureau file no. 2009-01474.
5. This permit is contingent on the receipt of post-development tax maps to be consistent with subdivision plans approved by this permit.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Any temporary impacts shall be revegetated with native trees, shrubs and ground covers upon completion of project.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. Silt fencing must be removed once the area is stabilized.
14. No more than 2.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
15. The project as proposed will leave approximately 147,764 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 145,591 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
16. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
17. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
18. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures or conditions depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
19. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The NH Natural Heritage Bureau (NHB) review indicated the presence of brook floater mussel and Eastern hognose snake in the project vicinity.
2. In correspondence received March 23, 2009, the NH Division of Historical Resources indicated a Phase I survey was required.
3. In correspondence dated April 23, 2009, the Environmental Protection Agency (EPA) raised concerns regarding completion of a

vernal pool survey, explanation of Piscataquog River buffer protection and possible NH Natural Heritage Bureau comments.

4. In correspondence dated April 27, 2009, the Piscataquog River Local Advisory Committee (PRLAC) raised concerns regarding the projects close proximity to the Piscataquog River, runoff, culvert sizing and impacts to brook floater mussels.
5. The originally submitted design was revised to provide eliminate and reduce the acreage of residential lots to provide 34 acres of open space, increase buffers to the Piscataquog River and reduce a proposed subdivision road to emergency access.
6. In correspondence dated the June 23, 2009, the Russell Foundation expressed support for the proposed and stated their involvement will continue to ensure the designated open space is transferred to the appropriate conservation interests.
7. In email correspondence dated July 13, 2009, both the EPA and NHFG Nongame and Endangered Species Program indicated they did not have concerns regarding the revised proposal.
8. DES Staff conducted a field inspection of the proposed project on June 30, 2009. Field inspection determined possible DES Wetlands Bureau and Alteration of Terrain Program violations.
9. This permit is contingent upon compliance with the DES Wetlands Bureau Letter of Deficiency dated July 17, 2009, for DES Wetlands Bureau file no. 2009-01474.

**2011-00555**                      **BLAKE, ROBERT**  
**WARNER Tom Pond**

Requested Action:

AMENDMENT DESCRIPTION: Plans submitted May 13, 2011 to increase the sq ft of cottage.

Impact 2,096 sq ft in order to install a foundation under main structure with an increase in footprint for main structure and shed.

\*\*\*\*\*

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Plans submitted May 13, 2011 to increase the sq ft of cottage.

Impact 2,096 sq ft in order to install a foundation under main structure with an increase in footprint for main structure and shed.

With Conditions:

1. All work shall be in accordance with plans by Begin Constuction, LLC dated March 1, 2011 and received by the NH Department of Environmental Services (DES) on March, 21, 2011. 2. No more than 18.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 3,000 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-00696**                      **HOLT ELWELL MEMORIAL FOUNDATION**  
**HEBRON Newfound Lake**

Requested Action:

Impact 6,225 sq ft in order to construct a new seasonal cabin and driveway.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 6,225 sq ft in order to construct a new seasonal cabin and driveway.

**With Conditions:**

1. All work shall be in accordance with plans by B. A. Barnard Ent., Inc. dated January 1, 2011 and received by the NH Department of Environmental Services (DES) on April 5, 2011.
2. No more than 3.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 72,776 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-00782                      GEARY, ARTHUR/MARILYN**  
**GREENLAND   Great Bay**

**Requested Action:**

Impact 1,650 sq ft in order to add addition to house and replacing part of walkway.

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**APPROVE PERMIT:**

Impact 1,650 sq ft in order to add addition to house and replacing part of walkway.

**With Conditions:**

1. All work shall be in accordance with plans by MSC Civil Engineers & Land Surveyors, Inc. dated April 12, 2011 and received by the NH Department of Environmental Services (DES) on April 15, 2011.
2. No more than 13.98% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 7,550 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-00882                      HAIN, ROBIN**  
**SILVER LAKE   Silver Lake**

Requested Action:

Impact 420 sq ft in order to remove previously excavated sand banking and construct new retaining wall with a perforated 4" drain.

\*\*\*\*\*

APPROVE PERMIT:

Impact 420 sq ft in order to remove previously excavated sand banking and construct new retaining wall with a perforated 4" drain.

With Conditions:

1. All work shall be in accordance with plans by Randy Hudson dated April 23, 2011 and received by the NH Department of Environmental Services (DES) on April 27, 2011.
2. No more than 18.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 2,800 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-00924                      GRIFFITH, LOREDANA/SCOTT**  
**SUNAPEE   Sunapee Lake**

Requested Action:

Impact 30,270 sq ft in order to remove existing structure, replace with new house, attached garage, detached carriage, driveways, patios and walkways.

\*\*\*\*\*

APPROVE PERMIT:

Impact 30,270 sq ft in order to remove existing structure, replace with new house, attached garage, detached carriage, driveways, patios and walkways.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated April 1, 2011 and received by the NH Department of Environmental Services (DES) on May 2, 2011.
2. No more than 24.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 7,960 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.



8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-00993                      DIONIAN, MICHAEL**  
**SUNAPEE   Perkins Pond**

Requested Action:

Impact 164 sq ft in order to construct a deck on the second story of single family dwelling.

\*\*\*\*\*

APPROVE PERMIT:

Impact 164 sq ft in order to construct a deck on the second story of single family dwelling.

With Conditions:

1. All work shall be in accordance with plans by Michael Dionian dated May 1, 2011 and received by the NH Department of Environmental Services (DES) on May 9, 2011.
2. No more than 28.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-00998                      EDMONDS, LOUIS/SHERRY**  
**SUNAPEE   Sunapee Lake**

Requested Action:

Impact 1,607 sq ft in order to construct screen porch with open upper deck, part of existing patio converted to living space and add parking with walkways.

\*\*\*\*\*

APPROVE PERMIT:

Impact 1,607 sq ft in order to construct screen porch with open upper deck, part of existing patio converted to living space and add parking with walkways.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated April 1, 2011 and received by the NH Department of Environmental Services (DES) on May 9, 2011.
2. No more than 28.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 2,361 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01010                      FIRST CONGREGATIONAL CHURCH**  
**KINGSTON   Greenwood Pond**

**Requested Action:**

Impact 11,200 sq ft for the purpose of constructing an addition to an existing structure, a new septic system, stormwater infiltration system, landscape beds, and additional pervious parking areas within an existing altered area.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 11,200 sq ft for the purpose of constructing an addition to an existing structure, a new septic system, stormwater infiltration system, landscape beds, and additional pervious parking areas within an existing altered area.

**With Conditions:**

1. All work shall be in accordance with plans by Paul F. Nichols, PE, LLS dated September 8, 2010 and received by the NH Department of Environmental Services (DES) on May 11, 2011 and May 23, 2011.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.”
3. The project will result in a 1% net decrease of impervious surface area on the property. No more than 29% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The property was developed prior to July 1, 2008 and all proposed impacts will occur within an existing altered area. The project as proposed will leave approximately 6357 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01012                      FEHR-FORBES TRUST**  
**LACONIA   Lake Winnepesaukee**

**Requested Action:**

Impact 120 sq ft for the purpose of expanding an existing deck off a non-conforming structure by 4 ft and excavation within an existing altered/impervious area for the purpose of basement access and the construction of a stairwell.

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**APPROVE PERMIT:**

Impact 120 sq ft for the purpose of expanding an existing deck off a non-conforming structure by 4 ft and excavation within an existing altered/impervious area for the purpose of basement access and the construction of a stairwell.

With Conditions:

1. All work shall be in accordance with plans by Fehr-Forbes Trust, Frank Hurt, Trustee dated May 9, 2011 and received by the NH Department of Environmental Services (DES) on May 11, 2011.
2. No more than 50% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01024                      FAVREAU, JUDITH/RANDY**  
**PELHAM   Little Island Pond**

Requested Action:

Impact 1,054 sq ft for the purpose of constructing a new septic system (approximately 216 sq ft of temporary impacts) on the property, foundation repairs, modification to an existing 2nd story deck on an existing non-conforming structure (removal of approximately 220 sq ft deck and construction of a 144 sq ft deck), and the removal of approximately 618 sq ft of concrete walkways and stairs.

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APPROVE PERMIT:

Impact 1,054 sq ft for the purpose of constructing a new septic system (approximately 216 sq ft of temporary impacts) on the property, foundation repairs, modification to an existing 2nd story deck on an existing non-conforming structure (removal of approximately 220 sq ft deck and construction of a 144 sq ft deck), and the removal of approximately 618 sq ft of concrete walkways and stairs.

With Conditions:

1. All work shall be in accordance with plans by Beals Associates PLLC. dated May 6, 2011 and received by the NH Department of Environmental Services (DES) on May 12, 2011.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. All work shall occur within existing altered areas on property.
4. There shall be no increase in impervious surface area on the property as a result of this proposed project.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the

structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01028                      BRANCO, MARIA/RUI**  
**WENTWORTH   Baker River**

Requested Action:

Impact 8,889 sq ft in order to construct a new residence with an attached porch.

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APPROVE PERMIT:

Impact 8,889 sq ft in order to construct a new residence with an attached porch.

With Conditions:

1. All work shall be in accordance with plans by B. A. Barnard Ent., Inc. dated May 1, 2011 and received by the NH Department of Environmental Services (DES) on May 12, 2011.
2. No more than 5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 3,913 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
9. This permit is contingent on approval by the DES Subsurface Systems Bureau.

**2011-01033                      NH DEPT OF TRANSPORTATION**  
**LACONIA   Unnamed Wetland Paugus Bay**

Requested Action:

Impact 4,488 sq ft in order to construct a single lane roundabout and the altering of an existing drainage system.

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APPROVE PERMIT:

Impact 4,488 sq ft in order to construct a single lane roundabout and the altering of an existing drainage system.

With Conditions:

1. All work shall be in accordance with plans by NHDOT dated April 13, 2011 and received by the NH Department of Environmental Services (DES) on May 12, 2011.
2. No more than 75% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01034                      STATE OF NH ADJUTANT GENERALS DEPT**  
**BERLIN   Androscoggin River**

**Requested Action:**

Replace in kind approximately 120 ft of sewer line connecting to the Berlin Readiness center to the municipal sewer system.

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**APPROVE PERMIT:**

Replace in kind approximately 120 ft of sewer line connecting to the Berlin Readiness center to the municipal sewer system.

**With Conditions:**

1. All work shall be in accordance with plans by A. Nash dated April 15, 2011 and received by the NH Department of Environmental Services (DES) on May 12, 2011.
2. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
5. Any fill used shall be clean sand, gravel, rock, or other suitable material.
6. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01048                      FERRIS, JAMES/JENNIFER**  
**GILFORD   Lake Winnepesaukee**

**Requested Action:**

Impact 3,059 sq ft for the purpose of constructing a new septic system, well, and drip line drainage along the rooflines of a pre-existing dwelling and detached garage for stormwater infiltration.

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**APPROVE PERMIT:**

Impact 3,059 sq ft for the purpose of constructing a new septic system, well, and drip line drainage along the rooflines of a pre-existing dwelling and detached garage for stormwater infiltration.

**With Conditions:**

1. All work shall be in accordance with plans by Varney Engineering LLC dated April 12, 2011 and received by the NH Department of Environmental Services (DES) on May 13, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 21.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 2488 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2488 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01053                      PLAINFIELD NOMINEE TRUST**  
**PLAINFIELD   Moses Pond**

**Requested Action:**

Impact 5,560 sq ft for the purpose of constructing a replacement septic system for an existing six bedroom home.

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**APPROVE PERMIT:**

Impact 5,560 sq ft for the purpose of constructing a replacement septic system for an existing six bedroom home.

**With Conditions:**

1. All work shall be in accordance with plans by Rollins Land Survey dated May 10, 2011 and received by the NH Department of Environmental Services (DES) on May 13, 2011.

2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.

3. No more than 0.59% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. The project as proposed will leave approximately 279,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 160,000 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01064                      DUNNE, MARY/MATTHEW**  
**ALTON   Lake Winnepesaukee**

**Requested Action:**

Impact 31,618 sq ft in order to remove existing cabins and structures, construct new house, garage, reconfigure driveway, construct additional walks and sewage disposal system.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 31,618 sq ft in order to remove existing cabins and structures, construct new house, garage, reconfigure driveway, construct additional walks and sewage disposal system.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey dated May 13, 2011 and received by the NH Department of Environmental Services (DES) on May 16, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
4. No more than 8.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 30,192 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01067 COLLINS, MARK**  
**BARNSTEAD Locke Lake**

Requested Action:

Impact 1,353 sq ft in order to replace retaining wall.

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APPROVE PERMIT:

Impact 1,353 sq ft in order to replace retaining wall.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated April 30, 2011 and received by the NH Department of Environmental Services (DES) on May 16, 2011.
2. No more than 15.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 2,492 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01073                      STEINER, LESLIE**  
**ALEXANDRIA   Newfound Lake**

Requested Action:

Impact 1073 sq ft in order to remove existing camp and replace in same footprint with a deck.

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APPROVE PERMIT:

Impact 1073 sq ft in order to remove existing camp and replace in same footprint with a deck.

With Conditions:

1. All work shall be in accordance with plans by Flanders & Company dated May 1, 2011 and received by the NH Department of Environmental Services (DES) on May 16, 2011.
2. No more than 31.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 791 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01082                      SALLS, THERSA**  
**ENFIELD   Mascoma Lake**

Requested Action:

Impact 350 sq ft in order to replace failing retaining wall.

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APPROVE PERMIT:

Impact 350 sq ft in order to replace failing retaining wall.

With Conditions:

1. All work shall be in accordance with plans by Hogg Hill Design, LLC dated May 7, 2011 and received by the NH Department of Environmental Services (DES) on May 17, 2011.
2. No more than 47.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.



7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01083                      RINES, BROOKE/JAMES**  
**OSSIPEE   Conner Pond**

Requested Action:

Impact 16,513 sq ft in order to construct a single family home, driveway, septic system and walkway through to a proposed perched beach.

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APPROVE PERMIT:

Impact 16,513 sq ft in order to construct a single family home, driveway, septic system and walkway through to a proposed perched beach.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co., Inc. dated May 13, 2011 and received by the NH Department of Environmental Services (DES) on May 17, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
4. No more than 8.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 14,463 sq ft of the existing native vegetation between 50 feet and 150 feet from the reference, as delineated on plans received by DES, must remain in an unaltered state.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01206                      HANOVER, TOWN OF**  
**HANCOCK   Mink Brook**

Requested Action:

Impact 750 sq ft for the purpose of upgrading a water reclamation facility.

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APPROVE PERMIT:

Impact 750 sq ft for the purpose of upgrading a water reclamation facility.

With Conditions:

1. All work shall be in accordance with plans by Underwood Engineers, Inc., and received by the Department of Environmental Services ("DES") on May 26, 2011.
2. There shall be no increases in impervious area associated with this project.
3. No impacts shall occur to natural ground covers within the waterfront buffer.

4. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.

#### CSPA PERMIT W/WAIVER

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**2010-02989                      WALKER, ALYS/HAROLD**  
**CENTER OSSIPEE   Ossipee Lake**

#### Requested Action:

Impact 2,437 sq ft for the purpose of expanding a nonconforming primary structure, constructing a new garage and installing a new septic system and stormwater controls.

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#### APPROVE AMENDMENT:

Impact 2,437 sq ft for the purpose of expanding a nonconforming primary structure, constructing a new garage and installing a new septic system and stormwater controls.

**WAIVER APPROVED:** RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

**AMENDMENT APPROVED:** Permit amended to adjust footprint of entry ramp.

#### With Conditions:

1. All work shall be in accordance with revised plans submitted by White Mountain Survey Co., Inc., last revised April 28, 2011 and received by the Department of Environmental Services ("DES") on April 29, 2011.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 27.1% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. No impacts to natural ground cover shall occur within the waterfront buffer.
7. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A

has been obtained.

8. Upon completion of the proposed project, the submitted planting plan shall be implemented to ensure that all proposed plantings achieve a 100% success rate.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.
17. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Ossipee Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install stormwater controls consisting of infiltration trenches below the drip edges of the proposed structures and has proposed to extend an infiltration trench approximately 30 feet in way that will intercept stormwater from the existing driveway as well.
4. The applicant has proposed to enhance the waterfront buffer by planting 15 additional native shrubs
5. The applicant has proposed to install significant stormwater controls and enhance the waterfront buffer and, therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2011-00572                      TREADWELL, MICHAEL**  
**NEWTON   Country Pond**

Requested Action:

Impact 3,296 sq ft for the purpose of expanding the footprint of a nonconforming primary structure, replacing existing retaining walls and installing stormwater controls.

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APPROVE PERMIT:

Impact 3,296 sq ft for the purpose of expanding the footprint of a nonconforming primary structure, replacing existing retaining walls and installing stormwater controls.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with revised plans by created by Dennis G. Quintal and received by the Department of

Environmental Services ("DES") on May 4, 2011.

2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 30.0% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Wetlands Bureau for impacts associated with constructing a retaining wall jurisdictional under RSA 482-A.
5. The proposed stormwater treatment measures consisting of stormwater infiltrators shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. No impacts shall occur to natural ground covers within the waterfront buffer.
7. The vegetation proposed plantings within the waterfront buffer shall be monitored, and if necessary, replaced, to ensure 100% survival rate for a period two years following construction.
8. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.
17. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Country Pond and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to decrease the impervious area within the protected shoreland by 103 sq ft.
4. The applicant has proposed to install stormwater controls consisting of underground drywells capable of infiltrating stormwater from the roof via a gutter system.
5. The applicant has proposed to stabilize the waterfront buffer with additional, native vegetation.
6. The applicant has proposed to install stormwater controls, reduce impervious surface coverage and enhance the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2011-00670**                      **INKELL, LOUISE**  
**CONWAY**   **Pequawket Pond**

Requested Action:

Impact 7,505 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing stormwater controls.

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**APPROVE PERMIT:**

Impact 7,505 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing stormwater controls.

**WAIVER APPROVED:** RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

**With Conditions:**

1. All work shall be in accordance with plans submitted by Ronald H. Briggs and received by the Department of Environmental Services ("DES") on April 1, 2011 and May 12, 2011.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 3.7% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
6. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
7. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 22,588 sq ft of the natural woodland buffer must remain in an unaltered state.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

**With Findings:**

1. The existing non-conforming structure is located within the 50 ft primary building setback to Pequawket Pond and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to decrease the impervious area within the protected shoreland by 436 sq ft.
4. The applicant has proposed to install stormwater controls consisting of infiltration trenches under the drip edges of the proposed

structure.

5. The applicant has proposed to remove impervious area from the waterfront buffer and allow these regions to return to a natural condition.

6. The applicant has proposed to install stormwater controls, decrease impervious area and enhance the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2011-00697                      PARISI, KYLE**  
**LACONIA   Lake Winnepesaukee**

**Requested Action:**

Impact 16,843 sq ft for the purpose of constructing a new patio and re-grading associated with landscape design.

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**APPROVE PERMIT:**

Impact 16,843 sq ft for the purpose of constructing a new patio and re-grading associated with landscape design.

**RULE WAIVER APPROVED:** Env-Wq 1405.03 (c)(1) and Env-Wq 1504.04 are waived to allow the construction of patio that does not meet the setback and size limitations.

**With Conditions:**

1. All work shall be in accordance with plans by G2+1, LLC., dated March 29, 2011 and received by the Department of Environmental Services ("DES") on April 6, 2011.
2. No more than 17.5% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Wetlands Bureau for proposed impacts jurisdictional under RSA 482-A.
4. The permit is contingent upon receiving all appropriate grant and right approvals.
5. The vegetation planted shall be monitored, and if necessary, replaced, to ensure 100% survival rate for a period two years following construction of the patio.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.
14. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**With Findings:**

1. In accordance with Env-Wq 1413.01, the Department recognizes that strict compliance with all shoreland protection rules may not always be in the best interest of the public or the environment in every conceivable situation, and therefore, the Department has established a procedure under RSA 541-A:22, IV, to grant waivers from administrative rules to accommodate those situations where strict adherence to the rules would not be in the best interest of the public or the environment.

2. The proposed project will not have an adverse effect to the environment as the applicant has proposed significant additional plantings, including new rain gardens within the waterfront buffer within regions that are largely composed of lawn today. The proposed plantings will increase nutrient attenuation and will provide additional wildlife habitat.
3. The proposed impacts will not adversely impact abutting properties as there will be increased plantings along the shoreline that will add aesthetic value as well as increased stormwater treatment.
4. Strict compliance with this rule would provide no benefit to the public and would cause an operational and economic hardship as historically this region of the subject lot has been used for wedding ceremonies and receptions. This segment of the property is an integral component of the resort's summer business. By virtue of the existing peninsula's location, it is the location of choice when engaging in ceremonies of this nature.
5. The proposed patio will not have an adverse impact on public waters, will not adversely impact abutting properties but would indeed pose an unnecessary operational and economic hardship if not permitted to be constructed, and therefore, shoreland administrative rules Env-Wq 1405.03 and Env-Wq 1405.05 are waived.

**2011-00826                      NORWAY POINT TRUST**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Impact 7,800 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing a new septic system and stormwater controls.

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APPROVE PERMIT:

Impact 7,800 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing a new septic system and stormwater controls.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by T.F. Bernier, Inc., received by the Department of Environmental Services ("DES") on April 20, 2011 and revised plans received by DES on May 17, 2011 and May 20, 2011.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 10.0% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
6. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
7. No impacts shall occur to natural ground covers within the waterfront buffer.
8. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to decrease the impervious area within the protected shoreland by 175 sq ft.
4. The applicant has proposed to install stormwater controls consisting of two leaching basins that will be capable of infiltrating greater than a 2 year, 24 hr storm event from a 1,818 sq ft of impervious area.
5. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
6. The applicant has proposed to install stormwater controls, install a new septic system, and reduce the total amount of impervious surface coverage within the protected shoreland, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2011-01027                      PINGREE, WILLIAM**  
**PORTSMOUTH   Sagamore Creek**

Requested Action:

Impact 9,140 sq ft for the purpose of expanding the footprint of a nonconforming primary structure, constructing a new garage and installing stormwater controls.

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APPROVE PERMIT:

Impact 9,140 sq ft for the purpose of expanding the footprint of a nonconforming primary structure, constructing a new garage and installing stormwater controls.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by J.A. David and Associates dated March 22, 2011 and received by the Department of Environmental Services ("DES") on May 12, 2011.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 13.78% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. No impacts shall occur to natural ground covers within the waterfront buffer.



6. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
7. In order to remain compliant with RSA 483-B:9, V, (b), (2), the 8,670 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES must remain in an unaltered state.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Sagamore Creek, an area subject to the ebb and flow of the tide, and therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to decrease the impervious area within the tidal buffer zone by 520 sq ft.
4. The applicant has proposed to install stormwater controls consisting of infiltration trenches below the drip-line of the proposed addition.
5. The applicant has proposed to install stormwater controls consisting of a rain garden that will be capable of intercepting rainwater from the proposed garage via a downspout.
6. The applicant has proposed to install significant stormwater measures, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

UTILITY NOTIFICATION

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2011-01192                      NATIONAL GRID  
SALEM    Unnamed Wetland

COMPLETE NOTIFICATION:  
Equipment repair & maintenance